

AMENDED IN ASSEMBLY MARCH 27, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2024

Introduced by Assembly Member Mendoza

February 23, 2012

An act to add Section 43018.3 to the Health and Safety Code, relating to vehicular air pollution.

LEGISLATIVE COUNSEL’S DIGEST

AB 2024, as amended, Mendoza. Vehicular air pollution: exemption: low-use vehicles: nonprofit organizations.

Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants, including standards for off-road and nonvehicle engine categories.

~~This bill would require the state board to amend a specified regulation relating to the state the intent of the Legislature that the state board, for purposes of a specified provision relating to mobile source emissions reductions, as applied to the reduction of emissions restrictions of diesel particulate matter, oxides of nitrogen, and other criteria pollutants from certain in-use, on-road, diesel-fueled vehicles, define “low-use vehicle” for purposes of tax-exempt churches and religious organizations as prescribed.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 43018.3 is added to the Health and Safety
2 Code, to read:
3 ~~43018.3. The state board shall amend Section 2025 of Title 13~~
4 ~~of the California Code of Regulations to do all of the following:~~
5 ~~(a) Modify the definition of~~
6 43018.3. (a) *It is the intent of the Legislature, for purposes of*
7 *Section 43018, as applied to the reduction of emissions of diesel*
8 *particulate matter, oxides of nitrogen, and other criteria pollutants*
9 *from in-use diesel-fueled vehicles, as applicable to any person,*
10 *business, federal government agency, school district or school*
11 *transportation provider that owns or operates, leases, or rents,*
12 *affected vehicles that operate in California and to persons that*
13 *sell affected vehicles in California, that the state board define*
14 *“low-use vehicle” for purposes of tax-exempt churches and*
15 *religious organizations, to mean a vehicle that will be operated*
16 *fewer than 5,000 miles in California in any compliance year. If*
17 *that vehicle has an engine that powers other equipment that can*
18 *only be used while stationary, the engine or power take off must*
19 *shall also operate less than 100 hours in any compliance year. The*
20 *hour limitation does not apply for vehicles where the engine is*
21 *used to power an auxiliary mechanism that strictly loads and*
22 *unloads cargo from the vehicle.*
23 ~~(b) Exempt all tax-exempt nonprofit organizations.~~
24 (b) *As used in this section “affected vehicle” means those that*
25 *operate on diesel-fuel, dual-fuel, or alternative diesel-fuel that are*
26 *registered to be driven on public highways, were originally*
27 *designed to be driven on public highways whether or not they are*
28 *registered, yard trucks with on-road engines or yard trucks with*
29 *off-road engines used for agricultural operations, both engines of*
30 *two-engine sweepers, schoolbuses, and have a manufacturer’s*
31 *gross vehicle weight rating greater than 14,000 pounds, except as*
32 *exempted by the state board.*

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